

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

15-CR-317 (KMW)

ORDER

DEAL SKELOS,

Defendant.

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KIMBA M. WOOD, United States District Judge:

The Court will hold a telephone conference this afternoon, April 3, 2020, at 4:00 p.m., on Defendant's pending motion for compassionate release.

The Government should be prepared to discuss when it expects to have the information it has requested from the Bureau of Prisons (BOP) regarding, *inter alia*, the Defendant's present health condition, his conditions of confinement, and his relative risks of contracting and suffering serious illness due to COVID-19.

The Government should also be prepared to state how much of the following information is currently available to the BOP: the infection rate at FCI Otisville; the extent to which Defendant is currently able to distance himself from other inmates; Defendant's conduct in prison; Defendant's PATTERN score; the options available for quarantining Defendant at FCI Otisville, including whether he can be quarantined where he has no contact with a possible or known carrier of COVID-19; and whether release pursuant to the conditions suggested by Defendant would present a lower risk of contracting COVID-19 than Defendant would face were he to remain incarcerated.

The Court notes the Government's representation that the BOP "is addressing many similar applications from inmates across the country." The Government must be prepared to

state where, in the line of similar applicants, Dean Skelos stands, and its approximation of when the BOP Medical Director, or someone he designates, will make the assessments required of the BOP in Attorney General Barr's March 26, 2020 Memorandum For the Director of Prisons, with respect to Defendant. The government states that there are "thousands of inmates nationwide who are similarly situated." The government must state upon what facts the Government relies in making this statement.

To join the telephone conference, the parties should dial 888-363-4749 and enter access code 1613818.

Dated: New York, New York
April 3, 2020

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge